



PATENT  
88519.0002

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Ken NAKAHARA

Serial No: 10/763,137

Filed: January 21, 2004

For: SEMICONDUCTOR LIGHT  
EMITTING DEVICE

Art Unit: 2822

Examiner: SOWARD, I.M.

**TRANSMITTAL OF  
INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sirs:

1. ☐ The information disclosure statement submitted herewith is being filed within three months of the filing date of the application other than a continued prosecution application, or within three months of the date of entry into the national stage of an international application, or before the mailing date of a first Office Action on the merits, or before the mailing of a first Office action after the filing of a request for continued examination under §1.114, whichever event occurs last. 37 C.F.R. §1.97(b).
2. ☒ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(b), but *before* the mailing date of a final action under §1.113, or a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application, whichever occurs first. A statement specified in §1.97(e) or a fee set forth in §1.17(p) is included. 37 C.F.R. §1.97(c).

**§1.97(e) STATEMENT**

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

OR

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:	
Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450, on	
September 2, 2005	
Date of Deposit	
Shirley Ferguson	
Name	
Signature	September 2, 2005
	Date

09/12/2005 09:12:00 10763137 10763137  
01 SEP 12 2005 150.00 DA

NON-ENGLISH LANGUAGE REFERENCES

- ☒ Enclosed is a Japanese language office action for a counterpart application. The search report Examiner has provided comments on the relevancy of non-English language reference "p-Type Electrical Conduction in ZnO Thin Films by Ga and N Codoping", which has not been provided.
- ☐ The applicant has provided machine translation as a matter of courtesy. Applicant has not reviewed the translation for accuracy.
- ☐ Set forth below are comments provided by the applicant's home country counsel on the relevancy of non-English language references:

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

By: 

Dariush G. Adli  
Registration No. 51,386  
Attorney for Applicant(s)

Date: September 2, 2005

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§1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

**OR FEE**

- ☒ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c). (\$180.00). [OR:] Please charge the fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(c) (\$180.00) to Deposit Account No. 50-1314. A copy of this petition is enclosed.

3. ☐ The information disclosure statement transmitted herewith is being filed *after* the period specified in §1.97(c), but before, or simultaneously with the payment of the issue fee. A statement specified in §1.97(e) and a fee set forth in §1.17(p) are included. 37 C.F.R. §1.97(d).

**§1.97(e) STATEMENT**

I, the person signing below, state:

- ☐ that each item of information contained in the information disclosure statement was first cited in the attached communication from a foreign patent office in a counterpart foreign application and that the communication is dated not more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(1).

**OR**

- ☐ that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the statement. 37 C.F.R. §1.97(e)(2).

**AND FEE**

- ☒ Attached is a fee set forth in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under §1.97(d). (\$180.00).
4. ☒ If it should be determined that for any reason either an insufficient fee or an excessive has been paid, please charge any insufficiency or credit any overpayment necessary to ensure consideration of the information disclosure statement for the above-identified application to Deposit Account No. 50-1314. **A copy of this petition is enclosed.**
5. ☒ A list of 9 reference(s) is in the enclosed Form PTO-1449.

Docket Number (Optional)  
88519.0002Application Number  
10/763,137INFORMATION DISCLOSURE CITATION  
IN AN APPLICATION

(Use several sheets if necessary)

Applicant

Ken NAKAHARA

Filing Date

January 21, 2004

Group Art Unit

2822

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2002/0105279	08/08/02	KIMURA			
	6,674,098	01/06/04	NIKI, et al.			

## FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						YES	NO
	2002-111059	04/12/02	JAPAN			Abstract	
	2002-076356	03/15/02	JAPAN			Abstract	
	2002-222991	08/09/02	JAPAN			Abstract	
	2002-170993	06/14/02	JAPAN			Abstract	
	11-070610	03/16/99	JAPAN			Abstract	
	01/08229	02/01/01	WO			Abstract	

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Mathew, J., et al., "p-Type Electrical Conduction in ZnO Thin Films by Ga and N Codoping", Jpn. J. Appl. Phys., 1999 Vol. 38, No. 11A, pp. L1205-L1207 (not enclosed)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.